

Sixth Appellate District

San Jose, California

MONDAY, SEPTEMBER 15, 2003

H025833 PEOPLE v. WILLIAMS

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed September 15, 2003

H024987 PEOPLE v. VASQUEZ

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Bamattre-Manoukian, J.)
Filed September 15, 2003

H024716 PEOPLE v. YEPEZ

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Bamattre-Manoukian, J.)
Filed September 15, 2003

H024071 PEOPLE v. HENDERSON

The order revoking, reinstating, and modifying probation is reversed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Bamattre-Manoukian, J.)
Filed September 15, 2003

TUESDAY, SEPTEMBER 16, 2003

H024119 J.C. RESEARCH, INC. v. GLOBAL OVERLAND DELIVERY, INC.,
et al.

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Bamattre-Manoukian, J.)
Filed September 16, 2003

H025517 PEOPLE v. NAJAR

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Bamattre-Manoukian, J.)
Filed September 16, 2003

H024281 Marriage of BOONE and DING

The appeal is dismissed. Husband's motion for sanctions for a frivolous appeal is granted and sanctions are awarded against wife and in favor of husband in the amount of \$3,500 and wife shall also pay the sum of \$3,500 to the clerk of the Court of Appeal. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed September 16, 2003

Sixth Appellate District

San Jose, California

Tuesday, September 16, 2003 (continued)

H025416 PEOPLE v. LOPEZ

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Bamattre-Manoukian, J.)
Filed September 16, 2003

H024894 PEOPLE v. GUYE B.

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed September 16, 2003

H024220 CREDIT RESEARCH, INC. v. EXPERIAN INFORMATION SOLUTIONS,
INC., et al.

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Bamattre-Manoukian, J.)
Filed September 16, 2003

H025633 PEOPLE v. SON

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)
Filed September 16, 2003

H024126 PEOPLE v. MATTOS

The judgment is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed September 16, 2003

H024761 CONWAY v. HOLMAN RANCH, et al.

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)
Filed September 16, 2003

H023781 PEOPLE v. MYINT

By the Court*:

Respondent's petition for rehearing is granted.
Filed: September 16, 2003

*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J. and
Mihara, J.

Sixth Appellate District

San Jose, California

Tuesday, September 16, 2003 (continued)

H024544 REDWOOD EMPIRE, et al. v. GOMBOS, et al.; DEAN, et al.
v. BURCH, et al.

The judgment is affirmed. The parties shall bear their own
costs on appeal. (not published)

(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Mihara, J.)

Filed September 16, 2003

WEDNESDAY, SEPTEMBER 17, 2003

H023601 PEOPLE v. TORRES

The judgment is affirmed. (not published)

(Elia, Acting P.J.; I concur: Wunderlich, J.; Concurring opinion
by Mihara, J.)

Filed September 17, 2003

H025619 PEOPLE v. HERRERA

As modified, the judgment is affirmed. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)

Filed September 17, 2003

THURSDAY, SEPTEMBER 18, 2003

H024143 THORP v. THORP

The judgment is reversed and the matter remanded for
proceedings consistent with this opinion. (not published)

(Premo, J.; We concur: Rushing, P.J., Bamattre-Manoukian, J.)

Filed September 18, 2003

Sixth Appellate District

San Jose, California

FRIDAY, SEPTEMBER 19, 2003

H025016 PEOPLE v. LANDECHO

The judgment is reversed and the matter is remanded for resentencing. At the resentencing hearing, the trial court may only impose a separate sentence for one of the two use of a minor counts because imposition of a sentence for both counts is barred by section 654. If the trial court finds separate intents and objectives as to the possession of methamphetamine for sale (count 1[Health & Saf. Code, § 11378]) and the possession of cocaine for sale (count 4 [Health & Saf. Code, § 11351]), it may impose separate sentences on each of those two counts. If the trial court finds separate intents and objectives as to each of the two possession counts and as to one of the use of a minor counts, it may impose a separate sentence for each of those three counts and it may impose the age-difference enhancement attached to the unstayed use of a minor count (Health & Saf. Code, § 11353.1). If the trial court finds that any of these three counts did not have a separate intent and objective, it shall stay sentence on that count pursuant to Penal Code section 654. (not published)

(Mihara, J.; We concur: Rushing, P.J., Wunderlich, J.)

Filed September 19, 2003

H024771 MARRIAGE OF DIGIOVANNI

The order denying disqualification is affirmed. The order awarding attorney fees is affirmed. The request for sanctions is denied. (not published)

(Bamattre-Manoukian, J.; We concur: Rushing, P.J., Premo, J.)

Filed September 19, 2003

H026035 PEOPLE v. BUTRON

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed September 19, 2003

Sixth Appellate District

San Jose, California

Friday, September 19, 2003 (continued)

H025144 PEOPLE v. CHAN

The order directing defendant to pay \$500 in attorney fees pursuant to Penal Code section 987.8 is hereby stricken. The trial court is directed to prepare an amended abstract of judgment and forward a certified copy of the amended abstract to the Department of Corrections. As modified, the judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Rushing, P.J., Premo, J.)
Filed September 19, 2003

H024398 PEOPLE v. EDDIE R.

By the Court:

Upon showing of good cause and on the court's own motion, the submission order in the above-entitled matter dated June 25, 2003, is hereby vacated.

Dated: September 19, 2003

Rushing, P.J.

H024223 H024788 TATRO & WHEELER, INC. v. DICKSON-NEWELL, et al.

The judgment is affirmed. The parties shall bear their own costs. (not published)

(Mihara, J.; We concur: Rushing, P.J., Elia, J.)

Filed September 19, 2003

H024765 PEOPLE v. FARBER

The judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed September 19, 2003